PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

CLERK'S OFFICE

NOTICE OF ORAL ARGUMENTS

DOCKET NO. 2014-69-S

Docket Summary: Application of Palmetto Wastewater Reclamation LLC d/b/a Alpine Utilities and d/b/a Woodland Utilities for Adjustment of Rates and Charges for, and the Modification of Certain Terms and Conditions Related to, the Provision of Sewer Services

During the Commission Meeting on May 14, 2014, the Public Service Commission of South Carolina (the Commission) stated that it did not have enough information to make a determination related to Arch Enterprises, LLC d/b/a McDonalds' Petition to Intervene and Palmetto Wastewater Reclamation, LLC's Answer in Opposition and Objection to said Petition to Intervene. Therefore, the Commission voted for oral arguments to be scheduled and that the Commission Staff should schedule such oral arguments. The Commission stated further that "[w]hen the parties appear for those arguments, they should be ready to address such issues such as whether RBF Enterprises, LLC ("RBF") has notified Alpine of cancellation of its contract with Alpine, and if so, when it did so; the circumstances of the transfer of the restaurant from RBF to Arch in July 2013; to whom the billing notices have been sent since that time; and whether the parties have been able to reach an accommodation regarding their dispute that was the subject of this Commission's dismissal in the related complaint case filed by Arch." The Commission stated further on May 14, 2014, that its ruling on issues raised by the intervention request and the objection to same are held in abeyance pending oral argument.

PLEASE TAKE NOTICE that Oral Arguments (please see attached Commission Directive dated May 14, 2014) in the above-named docket are scheduled to begin on Thursday, June 19, 2014, at 2:00 p.m., before the Commission in the Commission's Hearing Room at 101 Executive Center Drive, Saluda Building, Columbia, South Carolina.

Persons seeking information about the Commission's procedures should contact the Commission at (803) 896-5100 or visit its website at www.psc.sc.gov.

5/19/14

Direct correspondence to: Public Service Commission of South Carolina
Attention: Clerk's Office
Post Office Drawer 11649
Columbia, SC 29211

<u>Action</u>	Item	5

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA COMMISSION DIRECTIVE

ADMINISTRATIVE MATTER		DATE	May 14, 2014
MOTOR CARRIER MATTER		DOCKET NO.	2014-69-S
UTILITIES MATTER	✓	ORDER NO.	

SUBJECT:

<u>DOCKET NO. 2014-69-S</u> - <u>Application of Palmetto Wastewater Reclamation, LLC (Alpine Utilities and Woodland Utilities Service Areas) for Adjustment of Rates and Charges</u> - Discuss with the Commission Palmetto Wastewater Reclamation, LLC's Answer in Opposition to the Petition to Intervene.

COMMISSION ACTION:

We have before us an Answer in Opposition and Objection to the proposed intervention in this Palmetto Wastewater Reclamation, LLC d/b/a Alpine Utilities and d/b/a Woodland Utilities ("PWR") sewer rate case by Arch Enterprises, LLC d/b/a McDonalds. The utility argues that Arch is not a "customer" under the regulatory definition, since sewer service is not "supplied" by the Company as intended by the Commission's Regulation, and that Arch is unlawfully receiving service. The Company further argues that the Commission has regulations pertaining to the establishment of a sewer account which have not been followed since Arch took over the McDonald's restaurant at issue in July 2013. Prior to this date, the McDonald's was operated by a different corporation, RBF Enterprises, LLC. Arch states that the proposed rate is arbitrary and capricious, and will likely result in an exorbitant rate increase to it. PWR denies these allegations.

We do not have enough information to make the determination requested, and I therefore move for oral arguments to be scheduled in this case, and that we direct Staff to schedule such oral argument. When the parties appear for those arguments, they should be ready to address such issues as whether RBF has notified Alpine of cancellation of its contract with Alpine, and if so, when it did so; the circumstances of the transfer of the restaurant from RBF to Arch in July 2013; to whom the billing notices have been sent since that time; and whether the parties have been able to reach an accommodation regarding their dispute that was the subject of this Commission's dismissal in the related complaint case filed by Arch. Accordingly, I move that we hold our ruling in abeyance pending oral argument on issues raised by the intervention request and the objection to same.

PRESIDING: <u>Hamilton</u>					SESSION: Regular	TIME:	2:00 p.m.
	MOTION	YES	NO	OTHER			
FLEMING				<u>Absent</u>	Annual Leave		
HALL		✓					
HAMILTON		~					
HOWARD				Absent	Commission Business		
MCGEE	~	~					
RANDALL		V					

WHITFIELD \square

(SEAL)



RECORDED BY: J. Schmieding